

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SYLVESTER COLLINS,

Plaintiff,

-v-

6:23-CV-1543

DINO JUKIC *et al.*,

Defendants.

APPEARANCES:

OF COUNSEL:

SYLVESTER COLLINS

Plaintiff, Pro Se

22-B-1872

Hale Creek ASACTC

P.O. Box 950

Johnstown, NY 12095

DAVID N. HURD

United States District Judge

ORDER ON REPORT & RECOMMENDATION

On December 8, 2023, *pro se* plaintiff Sylvester Collins (“plaintiff”) filed this action alleging that defendants—three police officers employed by the City of Utica—violated his civil rights. Dkt. No. 1. Along with his complaint, plaintiff moved for leave to proceed *in forma pauperis* (“IFP Application”). Dkt. Nos. 2, 4–5, 8–9.

On June 20, 2024, U.S. Magistrate Judge Miroslav Lovric granted plaintiff's IFP Application and advised by Report & Recommendation ("R&R") that plaintiff's complaint be dismissed with leave to amend. Dkt. No. 11.

Plaintiff has not filed objections to the R&R. Instead, he has filed an amended complaint. Dkt. No. 13. Accordingly, the R&R will be adopted and the amended pleading will be returned to Judge Lovric for further review and other action as appropriate. *See* FED R. CIV. P. 72(b).

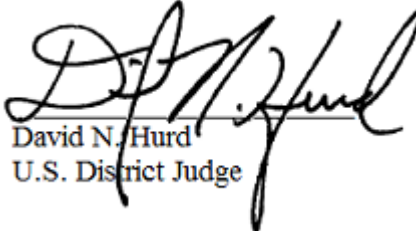
Therefore, it is

ORDERED that

1. The Report & Recommendation (Dkt. No. 11) is ACCEPTED;
2. Plaintiff's complaint (Dkt. No. 1) is DISMISSED with leave to amend;
3. Plaintiff's amended complaint (Dkt. No. 13) is accepted for filing; and
4. This matter is REFERRED to Judge Lovric for further review.

IT IS SO ORDERED.

Dated: July 10, 2024
Utica, New York.



David N. Hurd
U.S. District Judge